32. (New)   A method according to claim 31, further comprising:

opening the requested resource to determine if the requesting user may access the requested resource if the memory does not indicate that the user has previously accessed the resource; and

providing the user with access to the requested resource if the requested resource indicates that the user may access the requested resource.

33. (New)   A method according to claim 32, further comprising:

storing information in the memory indicating that the user has previously accessed the requested resource.

REMARKS

This amendment is submitted in response to the Office Action mailed **December 21, 1999**. With this amendment, claims 2, 6 and 16 have been cancelled, claims 1, 10, 15 and 24 have been amended, and new claims 29-33 added. Support for the amended and newly introduced claims can be found in the original specification, claims and/or drawings – thus, no new matter has been introduced. Accordingly, claims 1, 3-5, 7-15 and 17-33, as selectively amended, remain pending. In view of the foregoing amendments, and the following remarks, favorable reconsideration of the captioned application is respectfully requested.

35 U.S.C. §112 Rejection

In **paragraphs 1** and **2** of the Action, claim 6 was rejected for failing to particularly point out and distinctly claim that which the applicant regards as the

invention. In response, Applicant has cancelled the claim, thereby eliminating the source of the rejection.

35 U.S.C. § 102(e) Rejections: The Brown Reference

In **paragraphs 3** and **4** of the Action, claims 1-4, 7-18 and 21-28 are rejected as being anticipated by a patent issued to Brown, et al. (USP 5,941,947). In response, Applicant respectfully traverses.

The Brown Reference

The Brown reference teaches a system and method for controlling access to data entities in a computer network. More specifically, Brown controls access to network entities using an access rights database (152) maintained on a security server (150). When a user attempts to access a resource on an application server (120), the application server queries the security server (150) to obtain an access rights list associated with the user. The access rights list identifies the resources for which the user has access privileges. The access rights list for the user is provided to the application server 120, which caches the access rights list to support access control for subsequent accesses by the user to the resources of application server 120 (see, e.g., col. 2, line 59, through col. 3, line 45; col. 7, line 61, through col. 8, line 14; col. 25, line 55, through col. 26, line 12; col. 28, lines 20-28; col. 29, lines 11-42; col. 29, line 54, through col. 30, line 23; Fig. 1; Figs. 3A and 3B; and Figs. 7-10). In this regard, the cached access rights list provides a list of resources for which the user has access privileges, and does not denote that the user has previously accessed those resources.

Independent Claims

As alluded to above, Applicant has amended claims 1 and 15 to more particularly claim that which applicant regards as the invention. In particular, Applicant has amended claims 1 and 15 to claim:

> checking a first memory to determine if a user
> has previously accessed a resource on a computer
> network upon receipt of an indication from the user to
> access the resource; and
> providing the user with access to the resource if
> the first memory indicates that the user has previously
> accessed the resource (as amended)

That is, claims 1 and 15 have been amended to particularly claim that the first memory merely denotes whether the user has previously accessed the resource, not necessarily whether the user has rights to the resource. In contrast, the access rights list cached in the Brown system maintains a list of all resources for which the user has access privileges, regardless of whether they have been previously accessed.

Well settled patent law requires that in order for a reference to anticipate a claimed invention, the reference must teach *each and every limitation of the rejected claim* as presented within the claim. Applicants respectfully assert that the cached access rights list of the Brown reference does not denote whether a resource has been previously accessed, nor make a determination of whether to permit access from an indication that the user has previously accessed the resource. Rather, the cached access control list provides a listing of all resources to which the user has access privileges, regardless of whether they have been previously accessed. In this regard, the Brown reference fails to anticipate or suggest at least the limitation of the group identifier code of claims 1 and 15. Accordingly, Applicant respectfully asserts that claims 1 and 15 are not

anticipated by the Brown reference, and respectfully request that the §102(e) rejection of such claims be withdrawn.

Dependent Claims

Similarly, by virtue of at least their dependence upon patentable base claims 1 and 15, as amended, Applicant respectfully submits that claims 3, 4, 7-14, 17, 18 and 21-30 are likewise patentable over the Brown reference by virtue of at least this dependency.

In addition to the foregoing basis for patentability, Applicant asserts that claims 29 and 30, as amended, further distinguish the claimed invention over that of the Brown reference. In particular, claims 29 and 30 include the feature wherein:

> checking a second memory to determine if the
> user may access the requested resource if the first
> memory does not indicate that the user has previously
> accessed the requested resource

Applicant notes that the Brown reference does disclose or suggest maintaining in memory an indication of whether a resource has been previously accessed by a user to determine whether subsequent accesses to the resource are authorized, much less checking a second memory if the first does not so indicate. Rather, the access rights list provides an indication of all resources for which the user has access privileges, regardless of whether they have been previously accessed.

Thus, Applicant respectfully asserts that the Brown reference fails to anticipate that which is claimed in rejected claims 29 and 30.

Insofar as the Brown reference fails to anticipate that which is claimed in rejected claims 3, 4, 7-14, 17, 18 and 21-30, Applicant respectfully requests that the §102(e) rejection of such claims be withdrawn.

35 U.S.C. § 103

Turning to **paragraphs 5** and **6** of the Action, claims 5, 19 and 20 were rejected as being unpatentable over the Brown reference in view of a patent issued to Teper, et al. (USP 5,815,665). In response, Applicant respectfully traverses.

The Teper Reference

The Teper reference is drawn to a system and method for providing trusted brokering services over a distributed network. Applicant notes that the Teper reference is not cited as teaching checking a first memory to determine if a user has previously accessed a resource, and providing the user access to the resource if the user has previously accessed the resource. Thus, without the need to further characterize the Teper reference, Applicant respectfully asserts that the combination of the Brown and Teper references fails to disclose or suggest that which is claimed in rejected claims 1 and 15.

Applicant asserts that claims 5, 19 and 20 are dependent on patentable claims 1 and 15, as amended. Accordingly, by virtue of at least their dependency on patentable base claims 1 and 15, as amended, Applicant respectfully requests that the §103(a) rejection of claims 5, 19 and 20 be withdrawn.

New Claims 31-34

Claim 31 is drawn to a method for securing access to network resources comprising:

> checking a memory to determine if a requesting user has previously accessed the resource; and
> providing the user with access to the requested resource if the user has previously accessed the resource.

As introduced above, neither the Brown nor the Teper reference disclose or suggest making access determinations based on an indication of whether the user
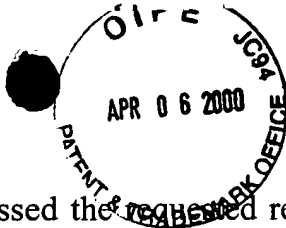
has previously accessed the requested resource. In this regard, Applicant asserts that claim 31 is patentable over the cited references.

Claims 32 and 33 depend from claim 31 and are, therefore, patentable over the cited references by virtue of at least this dependency. In addition, claim 32 includes the feature of:

> opening the requested resource to determine if the requesting user may access the requested resource if the memory does not indicate that the user has previously accessed the resource.

Applicant notes that neither the Brown nor the Teper reference disclose or suggest opening the resource to determine if the user may access the requested resource, as claimed in claim 32. Thus, in addition to patentable dependencies, claim 32 is patentable over the cited references by virtue of at least this claimed feature.

Conclusion

Claims 1, 3-5, 7-15 and 17-33 are in condition for allowance. Applicants respectfully request reconsideration and issuance of the subject application. *Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.*

Respectfully Submitted,

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